REMARKS

This amendment is in response to the Official Action mailed March 7, 2005.

In the present paper, Applicants have amended claims 4, 11 and 14. Claims 1-5, 7-15 and

17-26 are now presented for the Examiner's consideration in view of the following remarks:

The Present Application

The present application is directed to a call center capable of accepting calls from a

plurality of disparate telecommunications networks. Specifically, agent availability information

is shared among the disparate networks through an Agent Availability Network Control Point

(AANCP) that may reside in the call processing center (present spec., p. 6, lines 3-17). The

AANCP contains an I/O module that interfaces with each disparate telecommunications network

(p. 6, line 18 – p.7, line 1). The inventors have discovered a technique in which the AANCP

operates as a Network Control Point for each of the disparate networks, responding to queries

regarding agent availability.

In response to a query regarding agent availability, the system of the present invention

forwards connection information to the network from which the query originated. In that regard,

the AANCP functions as a Network Control Point within that network. The response may

include routing information for routing a connection from a caller, through the network to an

available agent.

The response, including the connection information and routing instructions, may be sent

using SS7 signaling. The routing instructions may be based on criteria such as lowest cost,

hierarchical, RTNR/Optimized routing, time of day, day of week call organization location and network-based congestion.

The Examiner has rejected claims 1-5, 7-15 and 17-26 under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 5,958,014 to Cave ("Cave") in view of U.S. Patent No. 6,173,053 to Bogart et al. ("Bogart").

The Cave *Patent*

Cave discloses a system for establishing a connection thorugh a switching network 102 between a computer 100 and a call center server 103. An agent queuing manager 11 receives a customer's request and selects an appropriate live agent 12A-12C. Then, the agent queuing manager establishes a connection between the live agent and the customer.

Cave does not disclose providing any connection information to the customer in response to the request. Further, there is no discussion of providing routing information to the switching network 102 for routing the connection through the switching network.

The Bogart *Patent*

Bogart discloses a technique for selecting an agent in a call center. The discussion in Bogart presupposes that a connection from a customer to the call center has been established, and instead focuses on handling the connected call. There is no discussion of how the connection from the customer to the call center is established.

Discussion

Introduction

To establish *prima facie* obviousness of a claimed invention, all the claim limitations

must be taught or suggested by the prior art. M.P.E.P. § 2143.03 (*citing In re Royka*, 490 F.2d

981, 180 USPQ 580 (CCPA 1974)).

"In determining the propriety of the Patent Office case for obviousness in the first

instance, it is necessary to ascertain whether or not the reference teachings would appear to be

sufficient for one of ordinary skill in the relevant art having the reference before him to make the

proposed substitution, combination, or other modification." *In re Linter*, 458 F.2d 1013, 1016,

173 USPQ 560, 562 (CCPA 1972).

Applicants respectfully assert that, for the reasons stated below, the Examiner has not

established a *prima facie* case of obviousness because the teachings of Cave in view of Bogart

regarding several claim limitations are not sufficient for one of ordinary skill in the art to make

the combination proposed by the Examiner.

Claims 1, 11, 21 and 22

Independent claims 1, 11 (as amended), 21 and 22 require responding to a query "with a

connection information of a determined agent." Applicants respectfully submit that the

Examiner has not identified a teaching of any such response in the art of record, and that no such

teaching exists in the art of record.

Specifically, Cave instead teaches that, after an agent is selected, "AQM 11 establishes a connection between the agent and PC 100." (Cave, col. 4, lines 3-4). No forwarding of connection information is taught. Instead, the AQM itself establishes the connection.

In contrast, in the system of the present invention, the AANCP responds to the query not by establishing a connection as taught by Cave, but by forwarding connection information to the originating network to be used by the originating network to establish a connection.

For example, in the case where the query originates in a circuit switched network 14, the AANCP forwards a routing telephone number of an available agent using SS7 signaling. The network 14 then establishes the connection through the LEC 20 (specification, p. 7, line 11 to p.8, line 3). For a caller 3 in an ATM network 7, the AANCP 40 sends a routing address for the selected agent to the ATM NCP 10 through STP 9 (p. 8, lines 4-13). If the query arrives from the Internet, the AANCP communicates the Internet address to the Internet NCP using SS7 signaling (p. 8, lines 14-17).

Applicants respectfully submit that the Examiner has cited no teaching in any reference of record to respond to a query with a connection information of a determined agent, as required in each of the independent claims in the case. For that reason, Applicants submit that independent claims 1, 11, 21 and 22 are patentable over Cave in view of Bogart, and that the dependent claims by their dependency are patentable for at least that reason as well.

Claims 4 and 14

Claims 4 and 14 has been amended to require that the instructions be for routing the call "through" the telecommunications network. Such routing instructions are described in the

present specification at least at p. 7, lines 5-10; p. 7, lines 16-18; p. 8, lines 6-7; p. 7, lines 16-17; and p. 9, line 4 – p. 10, lines 3.

In rejecting claim 4, the Examiner cites Cave at col. 3 (presumed), lines 35-51 as teaching the determination of routing instructions from the telecommunications network from which the query was received to the selected agent. That passage, however, discusses the architecture associated with the agent network, and NOT any routing instructions through with the network 102 from which the query was received.

Applicants have amended claims 4 and 14 to make clear that the routing instructions returned by the AANCP 40 (FIG. 2) in response to the agent query are for routing through the telecommunications networks (7, 11, 14) from which the query was received. Cave, on the other hand, does not teach the agent queuing manager 11 (FIG. 1) sending any routing instructions for routing through the switching network 102.

Applicants therefore submit that claims 4 and 14, and claims 5 and 15 which depend on those claims, are patentable over the cited art for that additional reason.

Claims 5 and 15

Claims 5 and 15 require that the routing instructions for routing the call through the network from which the query was received "are determined based on one of a lowest cost criteria, a hierarchical criteria, an RTNR/Optimized routing criteria, a time of day, a day of a week, a call origination location, and a network congestion condition." In rejecting those claims, the Examiner has pointed to Cave as teaching various criteria for selecting an agent. The examiner concludes that the claimed criteria for routing would be obvious "because such an arrangement would allow the system to have a basis for determining which agent to select."

The Applicant respectfully submits that, although Cave might suggest using alternate criteria for selecting an agent, there is no suggestion in either Cave or Bogart to use <u>any</u> criterion for determining routing instructions.
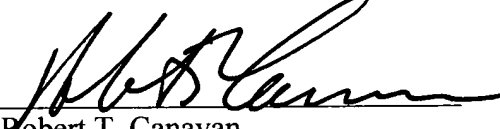
Applicants therefore respectfully submit that claims 5 and 15, are patentable for at least that additional reason.

Conclusion

Applicant therefore respectfully asserts that all the claims in the case are now in condition for allowance, and earnestly request that the Examiner issue a Notice of Allowance.

Should the Examiner have any questions regarding the present case, the Examiner should not hesitate in contacting the undersigned at the number provided below.

Respectfully submitted,

By _____
Robert T. Canavan
Reg. No. 37,592
Telephone: 908-707-1568

Canavan & Monka LLC
250 State Route 28, Suite 207
Bridgewater, NJ 08807

Date: 5/12/05